

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JS-6

CIVIL MINUTES - GENERAL

Case No. 2:18-cv-05154-RGK-SS

Date April 11, 2019

Title **ZENDANO v. BASTA**

Present: The Honorable R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGE

Sharon L. Williams

Not Reported

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings: (IN CHAMBERS) Order re Dismissal**

On June 11, 2018, Irene Zendano ("Plaintiff") filed this Civil RICO action against BASTA, Inc. ("BASTA"); the Law Office of Daniel J. Bramzon & Associates, P.C. ("Bramzon & Associates"); Alatorre & Associates Professional Law Corporation ("Alatorre & Associates"); Andres X. Alatorre ("Alatorre"); Kevin P. Hermansen ("Hermansen"); and Daniel J. Bramzon ("Bramzon") (collectively, "Defendants"). In addition to the Civil RICO claim (claim 1), Plaintiff also alleged four state law claims: (claim 2) economic duress and civil extortion; (claim 3) fraud; (claim 4) conversion; and (claim 5) violation of California Business and Professions Code § 17200.

On February 12, 2019, the Court granted Defendants' Motion to Strike and struck Plaintiff's second, third, fourth, and fifth claims under California's anti-strategic lawsuit against public participation ("anti-SLAPP") statute, Cal. Civ. Proc. § 425.16. (DE 35.) The Court then granted Defendants' Motion for Judgment on the Pleadings as to Plaintiff's Civil RICO claim on February 21, 2019. (DE 36.) The latter motion was granted with leave to amend, giving Plaintiff ten days to amend his Civil RICO claim. Instead of filing an amended complaint within the ten days provided, Plaintiff appealed both Orders to the Ninth Circuit.

Because Plaintiff did not file an amended complaint within the ten days provided, Plaintiff's Civil RICO claim is **dismissed with prejudice**.

**IT IS SO ORDERED.**

Initials of Preparer

VRV